

1 **DUMMIT, BUCHHOLZ & TRAPP**

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9 Attorneys for Defendants LUCILLE SALTER PACKARD
10 CHILDREN'S HOSPITAL, *erroneously sued as LUCILLE PACKARD*
11 CHILDREN'S HOSPITAL, and STANFORD HOSPITAL & CLINICS

12 **UNITED STATES DISTRICT COURT**

13 **EASTERN DISTRICT OF CALIFORNIA**

14 ART GONZALES, et al.,)
15)
16 Plaintiffs,)
17)
18 vs.)
19)
20 LUCILLE PACKARD CHILDREN'S)
21 HOSPITAL, et al.,)
22)
23 Defendants.)

Case No. 1:09-CV-01958-OWW-SMS

Judge: Hon. Oliver W. Wanger
Courtroom: #3 (7th Floor)

**ORDER ON JOINT STIPULATION RE
TRANSFER OF VENUE TO
NORTHERN DISTRICT OF
CALIFORNIA PURSUANT TO 28
U.S.C. §1404(b)**

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1 Pursuant to 28 U.S.C. §1391, being that Defendants, LUCILLE SALTER PACKARD
2 CHILDREN'S HOSPITAL, *erroneously sued as* LUCILLE PACKARD CHILDREN'S
3 HOSPITAL, and STANFORD HOSPITAL & CLINICS, are the only Defendants of this action
4 that reside in the State of California, and as such reside in the County of Santa Clara; and
5 further, that the alleged acts of negligence that caused injury to Plaintiffs arose in Santa Clara
6 County, Plaintiffs and Defendants jointly agree to stipulate to transfer venue to the appropriate
7 venue of the Northern District of California, San Jose Branch, pursuant to 28 U.S.C. §1404(b).
8

9 Dated: November 18, 2009 DUMMITT, BUCHHOLZ & TRAPP

10
11 By: /s/ Carolyn Katzorke
12 Carolyn Katzorke
13 Attorneys for Defendants Lucille Packard
Children's Hospital and Stanford Hospital & Clinics

14 Dated: November 18, 2009 ROBINSON, CALCAGNIE & ROBINSON

15
16 By: /s/ Karren Schaeffer
17 Karren Schaeffer
18 Attorneys for Plaintiffs

19 Dated: November 18, 2009 SHOOK, HARDY & BACON LLP

20
21 By: /s/ Scott LaSalle
22 Scott LaSalle
23 Attorneys for Defendants Tyco Healthcare Group
LP n/k/a Covidien and Covidien, Inc

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1 Dated: November 18, 2009

KIRKLAND & ELLIS, LLP

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3 By: /s/ Tammy A. Tsoumas

4 Tammy A. Tsoumas

5 Attorneys for Defendants Baxter Healthcare
6 Corporation, Baxter International Inc., Scientific
7 Protein Laboratories LLC, Changzhou SPL Co., Ltd.,
8 and American Capital, Ltd.

9
10 Dated: November 18, 2009

PEEL, GARCIA & STAMPER, LLP

11 By: /s/ James W. Peel

12 James W. Peel

13 Attorneys for Defendants B. Braun Medical, Inc.

14
15 Dated: November 18, 2009

WALSWORTH FRANKLIN BEVINS & MCCALL LLP

16 By: /s/ Laurie Sherwood

17 Laurie Sherwood

18 Attorneys for Defendant Medefil, Inc.

19 **ORDER**

20 Good cause appearing therefore, it is hereby ordered that this matter be transferred to the
21 proper venue of the Northern District of California, San Jose Branch, pursuant to 28 U.S.C.
22 §1404(b).
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27 IT IS SO ORDERED.

28 Dated: November 18, 2009

/s/ Oliver W. Wanger

UNITED STATES DISTRICT JUDGE